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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) CASE NO. S 05-0038 MCE
12 Plaintiff,)
13 v.) STIPULATION AND ORDER TO
14 LISA BONELLI LAYTON,) EXTEND TIME FOR PRELIMINARY
15 Defendant.) EXAMINATION AND EXCLUDE TIME
16

17 The parties agree that time beginning May 10, 2005 and
18 extending through May 17, 2005 should be excluded from the
19 calculation of time under the Speedy Trial Act. The parties
20 submit that the ends of justice are served by the Court excluding
21 such time, so that counsel for the defendant may have reasonable
22 time necessary for effective preparation, taking into account the
23 exercise of due diligence, and so that the defendant may have
24 continuity of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). In
25 particular, counsel for the defendant needs more time to discuss
26 the plea agreement with the defendant, and at this time is in
27 trial in another case. The parties stipulate and agree that the
28 interests of justice served by granting this continuance outweigh

1 the best interests of the public and the defendant in a speedy
2 trial. 18 U.S.C. § 3161(h) (8) (A).

3 The parties further request that this matter be taken off
4 calendar until May 17, 2005 at 8:30 a.m.

5 Counsel for the defendant is having computer problems in his
6 office, and requests that the United States file this stipulation
7 and sign on his behalf.

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10 Respectfully Submitted,

11 MCGREGOR W. SCOTT
12 United States Attorney

13 DATE: May 9, 2005


14 By: /s/ Matt Segal
15 MATTHEW D. SEGAL
16 Assistant U.S. Attorney

17 DATE: May 9, 2005

18 /s/ Danny Brance by MDS
19 DANNY D. BRACE, JR.

20 **SO ORDERED.**

21 Dated: May 10, 2005.

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24 MORRISON C. ENGLAND, JR.
25 UNITED STATES DISTRICT JUDGE
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